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THE BRIEF OF THE SCHOOL OF LAW

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SUMMER, 1968



Chief Justice Roger J. Traynor and Dean Galvin circulate before Storey Lecture

California Chief Justice Traynor Urges Reason In Storey Lecture

"However formidable the forces that would deter you, you should not abandon a cause of action as a lost cause if you have reason on your side," said Chief Justice Roger Traynor of the Supreme Court of California in delivering the fourth annual Robert G. Storey Lecture on April 24.

Speaking on the subject "Some Not So Lost Causes of Action" to an audience of 500 persons in the Grand Ballroom of the Umphrey Lee Student Center, Chief Justice Traynor traced the course of change in California on many legal questions through decisions of the Supreme Court of that state.

In tracing the trend of decisions on the question of unjust enrichment in

the conveyance of real property in reliance on an oral promise of the grantee to hold the premises in trust for the grantor, Traynor remarked that, "we had to deal with the curious duality in our legal thinking that enables us to see the actionable wrong of direct injury to another's property and disables us from visualizing the consequences of breaking a promise as to such property."

"While the Statute of Frauds looked immutable on its ancestral premises, it looks less than immutable in a setting that jolts us into a realization of how relatively durable people have become and how relatively transient now is their relation to the land," he remarked.

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Journal Sponsors Air Safety Meet

The many facets of air safety problems were discussed and explained before 125 representatives of government, commercial carriers, general aviation, manufacturers and the legal profession at the Symposium on Air Safety sponsored by the *Journal of Air Law and Commerce* on April 22-24 at the School of Law.

Planned, arranged and managed entirely by law students on the *Journal* staff, the symposium presented 24 speakers and participants on the areas of "Air Safety Programs and Accident Prevention," "Accident Investigation and Litigation," "Related Areas of Air Safety" and "Legal Responsibility for Commercial Air Safety." The Symposium was the direct result of interest generated by the *Journal* symposium on the Warsaw Convention, held last fall.

Banquet speaker at the Hilton Inn was The Honorable M. Cecil Mackey, assistant secretary for policy development, U.S. Department of Transportation. Jerome Lederer, director of manned space flight safety for the National Aeronautics and Space Administration, proposed a five-point approach to coordinate safety programs in aerospace industries. C. Bosseler, head of legal services for EUROCONTROL, an international organization regulating use of air space over seven European nations, discussed international problems of air traffic control. New York City attorney Matthew J. Corrigan called for cooperative efforts between government, manufacturers and airlines to achieve prompt disposition of airline accident claims. B. R. Allen, Director of the Bureau of Aviation Safety, National Transportation Safety Board, discussed future action to cut the accident rate on American air carriers.

Lucas, Jericho Head SMU Law Alumni Association

President Donald J. Lucas '64 and Vice President Eugene Jericho '49 have been elected to head the SMU Law Alumni Association for the 1968-69 year.

W. Autry Norton '28 has been re-elected to a three year term on the Board of Directors, and past president Judge Charles E. Long, Jr. '35 was also chosen for a three year term. Other new members of the Board are O. Jan Tyler '63, Banker Phares '64, Jerry N. Jordan '52 and James H. Wallenstein '67.

Lucas, an associate with Johnson, Bromberg, Leeds & Riggs, has served as vice president of the Association during the past two years. In addition, he has doubled in brass as class representative for the 1964 class during the past two years and has been responsible for the direction of all class representatives of 1948 to 1967 during the past two years. A native of Harlan, Iowa, Lucas received his B.A. and LL.B. degrees from SMU, where he was Leading Articles Editor of the *Southwestern Law Journal*.

Jericho, a partner with the firm of Strasburger, Price, Kelton, Martin & Unis, is a native of Kansas City, Missouri, but received undergraduate and law degrees from SMU. Active for many years in American Bar Association activities, he has also been a participant in the symposia sponsored by the *Journal of Air Law & Commerce* and has been a director of the Law Alumni Association, as well as the class representative for the class of 1949. He is a member of the Board of Visitors of the Law School.

Judge Long has presided over the Law Alumni Association this past year and led the Law School Fund to its most successful year in history. The recipient of an undergraduate degree from Washington & Lee University, Judge Long sits on the bench of the 134th District Court.

Mr. Norton, a native of Ferris in Ellis County, received his preparatory and legal education from SMU and is a member of Delta Theta Phi. Conducting a general civil practice at 1506 Commerce Street, he has served as a member of the Board of Visitors of the School.

Jordan who hails from Wink, Texas, received a B.E. degree from Vander-



Donald J. Lucas '64



Eugene Jericho '49



W. Autry Norton '28



Judge Charles E. Long, Jr., '35



O. Jan Tyler '63



James H. Wallenstein '67

bilt. He is a member of Phi Alpha Delta, Omicron Delta Kappa and Blue Key, and is a partner with the firm of Turner, Rodgers, Winn, Scurlock & Terry.

Tyler, a partner in the firm of Matthews, Sands & Tyler, is a 31-year-old native of Abilene. The recipient of a B.B.A. degree from North Texas State University, he served with the U.S. Department of Justice from 1963 to 1967, before joining the firm.

Phares is a graduate of Lamar State

College and practices with the firm of Phares and Phares at 430 Austin Street in Port Arthur. He served as assistant class representative for the 1967 class in the Gulf Coast area this year.

James H. Wallenstein is a 1967 graduate who served as Editor-in-Chief of the *Southwestern Law Journal* last year and was elected to membership in The Order of the Coif. He has been serving as clerk to the Honorable Irving L. Goldberg of the U.S. Court of Appeals for the Fifth Circuit.



Thomas G. Crouch '57
On the Elephant

'32 Judge William M. Taylor, Jr., addressed the May 24 clinic meeting of the Dallas Bar Association on the subject "Representation By Appointment Of An Indigent Defendant In Federal Court" at the Adolphus Hotel.

'35 Robert L. Dillard, Jr., vice president and general counsel of Southland Life Insurance Company, was presented the Newton D. Baker Award May 22 by the United Community Funds and Councils of America. The award was created to recognize outstanding service and leadership by a volunteer through a local Community Council. Dillard's leadership in the creation of the North Texas Planning Council for hospital and related health facilities in 1967 was the primary factor in the award.

'35 William W. Fair, Jr., has been named chairman of the board of the newly-formed Hexter-Fair Title Company with offices at 1312 Main Street, Dallas. Fair has fully recovered from a 1966 accident when he was pinned under a tractor on his ranch near Plano. He is also president of the recently organized Commercial College, Inc., where he teaches real estate. He also teaches real estate and real estate law to undergraduates at SMU.

'47 Ralph D. Churchill, partner in the Dallas firm of Brundidge, Fountain, Elliott & Churchill, was recently cited for his 13 years of work with the deaf. He has been conducting classes for the deaf at Western Heights Church of Christ in lip reading and sign language and has lectured throughout the United States on the legal problems encountered by deaf persons.

'47 John L. Sullivan has opened offices for the practice of law at 1103 The 600 Building, Corpus Christi 78401.

Hearsay

'48 Gordon R. Carpenter, vice president and trust officer, First National Bank in Dallas, presided over a panel of speakers at the March 23 Marital Property Institute of the State Bar of Texas at the Sheraton Hotel in Dallas. Carpenter is Chairman of the State Bar Continuing Legal Education Committee.

'48 John S. Estill, Jr., formerly general attorney for Sinclair Pipe Line Company at Independence, Kansas, is now a member of the firm of Hall, Abercrombie & Estill, with offices at 805 National Bank of Tulsa Building, Tulsa, Oklahoma 74103.



Dr. Werner Westerburg MCL '59
On the Diplomatic Circuit

'49 W. King Hall is first assistant manager of personnel with Southern Pacific Company (Texas and Louisiana Lines), 913 Franklin Street, Houston 77001.

'49 D. J. Hundahl, Jr., is president of National Security Life and Accident Insurance Company in Dallas.

'51 Wesley W. Alexander is a senior partner with the firm of Cowen, Tita, Alexander & Schwartz, 2034 Houston Natural Gas Building, Houston 77002.

'51 Robert L. Caldwell is a vice president of the Republic National Bank of Dallas. He was formerly employed by Delhi-Taylor Oil Corporation.

'51 Senator Ralph M. Hall of Rockwall, president pro tempore of the Texas Senate, served as governor of Texas, June 3, while the governor and lieutenant governor were out of the State. After graduation from SMU School of Law, Senator Hall served as Rockwall County

judge and practiced law in Rockwall and Dallas for 11 years before being elected to the Senate. Two years ago he was named president of Texas Aluminum Company, Inc., headquartered in Rockwall. Senator Hall and his wife, Mary Ellen, are the parents of three sons, Hamp, Brett and Blakely, who range in age from 13 to 21.

'52 William R. Allen has been elected vice president and director of Signal Oil and Gas Company, Los Angeles, California. He is also president and director of Signal Oil and Gas, Inc., president and director of Perfect Fuels Corporation, and vice president and director of Solar Gas, Inc. Allen joined Signal's Legal Department in 1952 in Fort Worth and was assigned to exploration and production activities in Texas, Oklahoma and New Mexico. In 1958 he was transferred to Los Angeles, and in 1966 he was appointed general manager of natural gas and natural gas liquids marketing for Signal.

'52 Mrs. Louise B. Raggio has been named the Quota Club's Awardee as a Worthy Woman in recognition of her work in contributing to women's rights in Texas.

'53 Corwin C. Connell is a field attorney with the Veterans' Administration Regional Office in Waco, Texas.

'53 R. Wallace Pack has resigned his position with the Sun Oil Company and is now a partner in the firm of Alderman, Johnston & Pack, Drawer 249, First National Bank Building, Fort Myers, Florida.

'54 William T. Bowden is vice president of Parker County Nursing Homes, Inc., in Weatherford, Texas.

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Banker Phares '64
On the Board of Directors

Hearsay

(Continued from page 3)

'56 The firm of Shaw and Davis has announced the admission of **Ken R. Davey** as a partner. The firm will continue in the general practice of law under the new partnership name of Shaw, Davis and Davey with offices at Suite 400, Adolphus Tower Building, Dallas.

'56 **James C. Farnsworth** has been chief title man for the Right of Way Division of the Wyoming State Highway Department in Cheyenne for the past five years. Farnsworth says that he is still an eligible bachelor who would like to meet a nice Texas girl.

'57 **Laurence M. Cottingham** and Miss Margaret Sue McGraw were married April 27 at Christ the King Catholic Church in Dallas. The bride, an SMU graduate, is a member of Chi Omega. Cottingham is employed by Harlan, Inc., in Houston.

'57 **Thomas G. Crouch** is serving as president of the Dallas County Republican Men's Club.

'58 **Robert E. Davis**, a partner in the Dallas firm of Durant, Mankoff & Davis, discussed "Tax Aspects of the 1967 Revision of the Texas Matrimonial Property Laws" at the May 10 clinic meeting of the Dallas Bar Association at the Adolphus Hotel.

'59 **Farshi Morteza Jalili** (MCL) is a member of the Mission of Iran to the United Nations, 777 Third Avenue, New York, New York 10017.

'59 The Dallas firm of Bean, Francis, Ford, Francis & Wills announces the recent association of **R. Douglas Coffin** and **Gerald W. Livingston** '67 with the firm. Livingston participated in the summer internship program with the firm in the summer of 1966. Coffin has had a varied civil trial and office practice experience and was associated with the Dallas Legal Aid project during its formative years.

'59 **Joe A. Stalcup** is a partner in the recently formed firm of Stalcup, Lipshy & Williams, 506 Stemmons Tower North, Dallas.

'59 **E. Koehler Thomas** (LLM) has been elected president of the First National Bank of Enid, Oklahoma.

'59 **Dr. Werner Westerburg** (MCL) is first secretary of the West German Legation in Rawalpindi, Pakistan. He

received his doctor of laws degree at the University of Bonn and entered the Foreign Office in 1960. He has held posts in Bonn and with the West German Embassy to the Common Market in Brussels before being assigned to Pakistan two years ago. During his service with the foreign office, he has served in the legal, personnel, and protocol departments and is now a specialist in economic and administrative matters. Dr. Westerburg and his wife, Elke, have two daughters, ages two years and seven months.

'60 Sympathy is extended to **Edward A. Copley, Jr.**, because of the death of his father, Edward A. Copley, Sr., retired vice president and member of the board of directors of Southwest Wheel and Manufacturing Company, in March, 1968.

'60 **Truett Mayo** resigned as County Judge of Van Zandt County March 15, 1968, to become vice president of the First National Bank of Wills Point.

'60 **Robert R. Sanders** has been elected secretary-treasurer of the State Junior Bar of Texas. A 1957 graduate of Vanderbilt University, Sanders served as assistant county attorney of Potter County and as assistant district attorney for the 47th Judicial District before becoming a partner in the firm of Miller, Sanders, Baker & Miller in 1963. In 1967 he was appointed United States Commissioner for the Northern District of Texas at Amarillo. He and his wife, Bonnie, are the parents of three sons.

'60 **Benjamin T. Wages** is a partner in the firm of Lane and Wages, 1228 Commerce Title Building, Memphis, Tennessee 38101.

'60 On January 1, 1968, **Richard M. Waggoner** became Vice President and Trust Officer of City National Bank in Wichita Falls, Texas.

'61 **Edward Neill English** is a partner in the firm of English, Curry, Davidson and Weisbruch, 305 Southwest Bank Building, Irving. He is serving as president of the Irving Bar Association this year.

'61 Since last August **Allan C. Glaser** has been with the corporate staff of General Dynamics Corporation, 1 Rockefeller Plaza, New York City.

'61 **George H. Nelson**, an associate with the Lubbock firm of Splawn & Maner, has just completed a term as

secretary-treasurer of the State Junior Bar of Texas. George has served as president, vice-president, and director of the Lubbock County Junior Bar Association. He was assistant district attorney in Lubbock for three years prior to entering private practice in 1965.

'61 **Joann Peters** has been chosen one of the Top Ten Women of the Year by the American Business Women's Association. She is a partner in the Dallas firm of Welz, Anderson and Peters, 2720 Fairmount Street. Miss Peters has also been listed in the 1966 edition of Outstanding Young Women of America and has served as chairman of the Speakers Bureau and Trial by Jury committees of the Dallas Junior Bar Association. She is sponsor and active supporter of Theater Three and the Dallas Theater Center and is a director of Golf Executives, Inc. She received her bachelor's degree in chemistry from North Texas State University and was a chemical analyst with an oil company before entering the practice of law.

'61 On March 5, Governor John B. Connally appointed **James B. Zimmermann** to the vacancy caused by the death of Judge Joe B. Brown. Judge Zimmermann subsequently obtained the Democratic nomination and will run as the incumbent in the November general election.

A native of Kansas City, Missouri, Judge Zimmermann graduated from Lawrenceville School and received a B.A. degree from SMU before serving as an air force officer assigned to duty in the far east as a counter intelligence agent for three years. After receiving his law degree he joined the staff of Henry Wade as an assistant district attorney, serving in that capacity for five years. For the past two years he was in the private practice of law with the Dallas firm of Anderson, Scott & Zimmermann.

Judge Zimmermann has spoken before a wide variety of audiences and has coached little league teams and YMCA athletic programs. Married to the former Sharon Pixley McDonald, he now resides at 6227 Lakehurst.

'62 **Russell B. Smith, Jr.**, recently received the Dallas Junior Chamber of Commerce 1967 Distinguished Service Award for his outstanding service to Dallas. Smith has served on the Crossroads Information Committee, United Fund, Big Brothers of Dallas, Goals for

(Continued on page 5)

Hearsay

(Continued from page 4)

Dallas, and the area coordinating committee of the Citizens for the Charter Association. He is a partner in the firm of Woodruff, Hill, Kendall & Smith.

'62 **Frank W. Weathers, Jr.** is a partner with the firm of Walton, Lantaff, Schroeder, Carson & Wahl, 300 Pan Am Building, West Palm Beach, Florida.

'63 **Michael T. Everett, Jr.**, a partner in the Dallas firm of Everett & McDearman, has completed a term as president of the Dallas Junior Bar Association.

'63 **James F. Law** is a member of the Roustabouts Quartet which recently were fourth place medalists in the Southwestern District International Quartet prelims of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, held at New Orleans. He also recently obtained the Republican nomination for State Representative, Place No. 6, Dallas County. Law and his wife are the parents of a boy, Nile, age 7, and a girl, Melanie, age 4 months.

'63 **Captain Ross Teter** is assistant staff judge advocate, Second Air Force (SAC) in Shreveport, Louisiana. He reports that he will be released from active duty in May, 1969.

'63 **W. Kelvin Wyrick** is a partner in the firm of Hooks & Wyrick, with offices at 356 Pleasant Grove Village, Dallas. The firm name was formerly Gibbs, Hooks & Wyrick until the appointment of **Judge Dan Gibbs '50** to the Dallas County domestic relations court bench. Wyrick is serving as president of the Pleasant Grove Kiwanis Club.

'64 **Alford T. Hearne, Jr.** is tax manager of Lybrand, Ross Brothers & Montgomery, accountants, First National Bank Building, Dallas.



Gerald W. Livingston '67
On the Door

'65 **Malcolm Anderson** is currently city attorney of Boca Raton, Florida. He formerly served as assistant attorney general of Florida and was later in the private practice of law in Boca Raton.

'65 **Steven F. Chapman** is a partner in the firm of Chapman and Chapman, Citizens National Bank Building, Waxahachie.

'65 **Edward W. I. Chen (MCL)** is a candidate for the SJD degree at George Washington University Law School, Washington, D. C. His address is 5308 Hamilton Street, #6, Hyattsville, Maryland 20781.

'65 Married: **William Robert Gutow** and Miss Barbara Ann Byrom on June 6 at Temple Emanu-El in Dallas. The daughter of Mr. and Mrs. George M. Gillespie of Houston, the bride is a graduate of North Texas State University.



Joann Peters '64
On the List

'65 Sympathy is extended to **Frederic E. Zimring** because of the death of his father, Norman S. Zimring, owner and operator of Mustang Jewelers on Hillcrest Avenue.

'66 **Pricha Limaksorn (MCL)** is an associate in the law office of Whitman Symmes, Thai Farmers Bank Building, 142 Silom Road, 5th Floor, Bangkok, Thailand.

'66 Captain **Donald Ray Prichard**, USMC, will return to the States about July 15, after completing a 14 months tour of duty with the First Marine Aircraft Wing in Da Nang, Vietnam, and at Camp Butler, Okinawa. His identical twin brother **Ronald Prichard ex '66**, is also serving with the First Marine Aircraft Wing in Chu Lai as an A-4 pilot and legal advisor to his squadron. The coincidence of these twin marines serving in the same unit was the subject



James B. Zimmermann '61
On the Bench

of a feature story in the April 29, Pacific issue of *Stars and Stripes*.

'66 **Charles B. Tennison** is a stock broker with Shearson, Hammill & Company, San Antonio.

'66 **John Anderson Woodside** and Miss Lucy Olene McFarland were married in the First Methodist Church of Midland, Texas, February 10. The bride, the daughter of Mr. and Mrs. D. J. McFarland of Midland, is a graduate of SMU, where she was a member of Kappa Kappa Gamma. She was presented at the Minuet Club of Midland in 1965 and was a Duchess at the Tyler Rose Festival. The Woodsides will live in Burlington, Iowa.

'67 **James T. Curtis** has opened offices for the general practice of law at 729 South Jupiter Road, Suite 103, Garland, Texas.

'67 **Robert B. Davis** is an associate with the firm of Nossaman, Waters, Scott, Krueger & Riordan, 611 Wilshire Boulevard, Suite 1300, Los Angeles, California 90017.

'67 **Wesley J. Ketzer, Jr.** is a candidate for the degree of master of business administration in Accounting at SMU. His address is 2804 Binkley, #205, Dallas.

'67 Born: to Mr. and Mrs. Paul (Ruth) Kovnat, a son, Daniel Aaron Kovnat, February 19 in Philadelphia. Mrs. Kovnat has been a research associate at Temple University School of Law during the past year.

'67 **Paul Murphey (MCL)** is an associate with the firm of Kitz, Matheson & Brown, 6081 Granville Street, Halifax, Nova Scotia, Canada.

'67 **H. Randolph Williams** ends his appointment as clerk to Justice James
(Continued on page 6)

Hearsay

(Continued from page 5)

R. Norvell of the Supreme Court of Texas August 1. Thereafter he will be an associate with Hardie, Grambling, Sims & Galatzan, El Paso Natural Gas Company Building, El Paso 79901.

'68 Married: **Lawrence J. Brannian** and Miss Susan Elizabeth Morris on May 31 in Perkins Chapel at SMU. The bride, a graduate of the University of Texas, is now a second-year student at SMU Law School. She is affiliated with Kappa Alpha Theta, Kappa Beta Pi, and the Slipper Club. The groom is a member of Phi Gamma Delta and Phi Delta Phi and was associate editor of the *Southwestern Law Journal*.

'68 **William T. Carlisle** was married to Miss Cheryl Ann Smith in Perkins Chapel April 27. The bride received her degree in May from SMU.

'68 Married: **George A. Engelland, III**, and Miss Nancy Carol Handley June 1 in Embree Hall of the First Baptist Church in Dallas. The bride is the daughter of Mr. and Mrs. W. B. Handley, Jr., 4223 Bordeaux. She is a graduate of Texas Tech, where she was a member of Kappa Alpha Theta, and has also attended the University of Hawaii. The groom, the son of Mr. and Mrs. A. G. Engelland of Valencia, Venezuela, is a member of Kappa Sigma and Phi Alpha Delta. Mr. and Mrs. Engelland will live at 6841 Larmanda, Dallas.

'68 Married: **John Abe March, IV**, and Miss Laura Len Irwin at St. Michael and All Angels Episcopal Church in Dallas. The bride, a graduate of SMU, was secretary of Pi Beta Phi, a member of Mam'selles and a Rotunda beauty. The groom was President of Phi Delta Theta at SMU.

'68 Married: **Roger L. McRoberts, Jr.** and Miss Alexis Cowan at All Saints Episcopal Church in Colorado City. The bride, the daughter of Dr. and Mrs. W. Kenneth Cowan of Colorado City, is an SMU graduate and a member of Chi Omega.

'68 **Barry M. Skiles** and Miss Kathleen McNulty were married May 27 at the home of the groom in Dallas. The bride is a 1967 graduate of SMU, where she has been employed as a secretary at the Thornton Alumni Center. The daughter of Professor and Mrs. Charles McNulty of the University of Texas at Arlington, Mrs. Skiles will be a candi-

date for a master's degree at Johns Hopkins School of Advanced International Studies next year. The groom, a 1964 SMU graduate, is a member of Phi Gamma Delta fraternity and Phi Alpha Delta legal fraternity.

Dallas Bar Association Hears Professor Smith

Associate Professor EUGENE L. SMITH addressed the Clinic Meeting of the Dallas Bar Association on "The Substance and Procedure of the Marital Property Act of 1967" at the Adolphus Hotel on April 19.

Hoblitzelle, Florence Foundations Make Grants For Quadrangle Project

SMU's Law Quadrangle Project has received a \$329,000 grant from the Hoblitzelle Foundation and a \$50,000 grant from the Florence Foundation, SMU President Willis M. Tate has announced. Both grants will be used for the renovation of Fred F. Florence Hall, Tate said.

The two grants bring the total of pledges and gifts to the campaign to \$2,773,000, the SMU president said. Further progress toward the campaign goal is being directed by Jess T. Hay, president of Lomas & Nettleton Financial Corporation, assisted by graduates and friends of the School. Active solicitation of gifts from corporations, foundations, alumni and other individuals is currently under way in Dallas and other Texas cities.

"The SMU School of Law is grateful for these commitments by the Hoblitzelle and Florence Foundations to the excellence of legal education in the Southwest," said Dean Charles O. Galvin. "The renovation of the Florence Hall facility, together with the construction of a new law library, will place the School in the forefront of private legal education," the Dean stated.

Florence Hall was originally constructed in 1924 and housed the School of Theology until remodeled and renamed in 1949 through a Hoblitzelle Foundation grant as a tribute to Mr. Florence by his friend, Karl Hoblitzelle. Mr. Hoblitzelle and the Hoblitzelle Foundation were also donors of the cenotaph which stands in the center of the law quadrangle as a memorial to Dr.

Scholarship Established By Moss Foundation

The SMU School of Law has been awarded a grant of \$7,500 from the Harry S. Moss Foundation of Dallas.

This grant will provide for a \$1,500 scholarship, covering full tuition and books, for a professional degree candidate during each of the next five years. Each year's recipient will be designated the Harry S. Moss Foundation Scholar at the Law School.

Mr. Moss is President of the Moss Petroleum Company of Dallas.

Umpfrey Lee, deceased SMU president.

Mr. Hoblitzelle, founder and president of Interstate Circuit, Inc., a Dallas-based theater chain, died in 1967. In December, 1965, he concluded 37 years as a director of the Republic National Bank of Dallas. For the last 20 of those years he served as chairman of its Board of Directors. For many years he served on the Board of Governors of SMU, and in 1962 the University awarded him the honorary degree of Doctor of Laws.

The Foundation which bears their name was founded by Mr. and Mrs. Hoblitzelle in 1942, and its Board of Directors now carries on the philanthropic work of the founders in Dallas and throughout Texas.

Born in New York City, Mr. Florence moved to Texas at an early age and started his financial career at 15 as a check sorter and errand boy with the First National Bank of Rusk. Nine years later, at the age of 24, he became president of the Alto State Bank, and in 1920 he became first vice-president of Guaranty Bank & Trust Company of Dallas, a predecessor of the Republic National Bank of Dallas.

Active for many years in the American Bankers Association and its president in 1955-56, Mr. Florence was a leader in numerous medical, civic, and educational activities in Dallas.

His dedication to human improvement is carried on today by the Foundation founded by him and by his wife in 1956. His widow is now Mrs. H. Harold Wineburgh.

Memorials

'36 **Jack D. Gillespie, Jr.**, who operated his own real estate business in Dallas for the past 15 years, passed away on March 30, 1968. A native of Dallas, he was a member of the 88th Infantry Division in World War II and was wounded in Italy in 1944. After the war he was an assistant Dallas County district attorney under Will Wilson until he entered the real estate business.

A member of Highland Baptist Church, he also belonged to Kappa Alpha fraternity, the Retired Army Officers Association, American Legion Post 581 and the Dallas Athletic Club. He is survived by his wife, Mrs. Alice H. Gillespie, and his mother, Mrs. J. D. Gillespie, Sr.

'49 **Carey Relyea Williams**, who practised law in Houston since 1952, died January 20, 1968, at the age of 51. A native of Ladonia, Texas, he attended Baylor University, the University of Mexico, the University of Pennsylvania and received a B.A. degree, cum laude, from Swarthmore College in 1942. He graduated from SMU Law School in 1949 with honors and served as editor of the *Southwestern Law Journal*.

Williams practiced briefly in Dallas before moving to Houston, where he lived for the remainder of his life. He was an instructor at the University of Houston in the fields of torts and procedure. He was a member of the Houston and State Bar Associations, the American Bar Association and Delta Theta Phi law fraternity.

He is survived by his wife, the former Eva Ruth Beall.

'52 **William W. Osborne**, a partner in the firm of Osborne & Laughlin of Roswell, New Mexico, July 26, 1967. His home address was 306½ North Richardson in Roswell. No additional information is currently available.

Joseph Witherspoon Heads Human Relations Conference

Visiting Professor JOSEPH P. WITHERSPOON served as general chairman of the Conference on Human Relations and the Law, held at the University of Texas School of Law on March 7-9.



Mike P. McKool '46



Robb Stewart '55

Mike P. McKool, Robb Stewart Are Candidates for State Senate

The only sure thing about the November election for state senator from the 16th District is that the winner will be an SMU law alumnus. The summer and fall promise to provide plenty of political pyrotechnics as Mike P. McKool '46 and Robb Stewart '55 match strategy and voter appeal.

McKool, senior partner in the firm of McKool, McKool & Jones, gained the Democratic nomination with an upset victory over incumbent senator Jim Wade. His omnipresent green and black billboards, slam-bang campaign style, and a vigorous organization which brought out a large vote in a generally lackluster primary, propelled McKool to the nomination.

After graduating as valedictorian from Dallas Tech High School, McKool received a scholarship to George Washington University, where he received his B.A. degree. During World War II, he was a tailgunner in a B-24 which was shot down over Yugoslavia. McKool spent 38 days with General Draja Mihailovich and his "chetnik" resistance fighters.

Upon receiving his law degree cum laude, McKool entered the practice of law and quickly gained prominence in professional, business, and political life. He is a founder and organizer of Democrats of Dallas County and Democratic Men of Dallas County.

Active in community activities, he is a regional director of Aiding Leukemia Stricken American Children.

He and his wife, Betty, are the parents of Mike, Jr., 19; Mollie, 17; Matt, 14; and Mitzi, 13.

His opponent, Robb Stewart, is no novice in political activity, having served as first president of the Richardson Republican Men's Club and as a delegate to the 1962, '64 and '66 Republican State Conventions. He was the Republican candidate for attorney general of Texas in 1966. The holder of both undergraduate and law degrees from SMU where he was president of Phi Gamma Delta and of the Interfraternity Council, as well as a member of the Cycen Fjodr, Blue Key, the Student Bar Association and Phi Alpha Delta, Stewart served three years as a legal officer with the United States Marine Corps. He is a partner in the Dallas law firm of Passman, Jones, Stewart, Andrews & Hunter. His participation in civic affairs includes two consecutive terms as a member of the Richardson City Council and present service on the National Council on Crime and Delinquency, the Richardson Youth Action Committee and the Republican State Task Force on Law and Juvenile Delinquency.

Unopposed in the Republican primary, Stewart's active campaign will be gathering steam during the summer. Married to the former Miss Molly Francey, Robb, his wife and children, Abby, 13; Robb, 11; and Duff, 6, reside at 17 North Lois Lane in Richardson.

The contrast in political philosophies and campaign styles of the candidates should ensure voter interest. Regardless of the outcome, the 16th District is assured of thoughtful and intelligent representation.

California Chief Justice

(Continued from page 1)

Traynor, an advocate of orderly change through law, said that in this age as in any other, any re-examination of the law encounters chronic resistance of two sorts: (1) "the massive resistance of inertia, the very human disposition to let had enough alone," and (2) "the active resistance of the diehards who regard precedent itself as a magic word to conjure up veneration, regardless of whether a precedent has outlived its usefulness, regardless even of a precedent's original sins of commission or omission."

Elaborating on examples of the tortured and tortuous process of overcoming outworn precedents, the Chief Justice gave several examples in the fields of contracts, evidence and conflict of laws in which the California court was persuaded that unrealistic rules were "akin to little fences that supposedly insured a place for everything and everything in its place."

The "not so lost causes," said Traynor, "illustrate that no man can put asunder fact and law." That statement also applies to statutory construction, according to the Chief Justice.

"Sometimes the most difficult facts are the indisputable ones, such as an inept or inadequate statute that plainly means its foolishness. Since statutes now constitute the bulk of our law, it is more important than ever that their drafting evince brain as well as brawn. So great is the force of habit, however, that the watchbirds of the law, the scholarly commentators, have hardly begun to train their eyes on the legislative process as

they have on the appellate process."

"The need is urgent," said Traynor, "for a signal corps that will take note of these unguarded affairs." "Only thereby can we minimize the risk that good causes will be lost in court for lack of a nail in a statute of ponderous horsepower," he concluded.

Anderson Foundation Makes \$25,000 Grant

The M. D. Anderson Foundation of Houston has committed \$25,000 to the School of Law for the purposes of scholarships for prospective J. D. candidates and for assisting professors in furthering research.

The grant, payable over a five-year period, will be used at the Dean's discretion for these dual purposes. The law students receiving these scholarships on a part-loan and part-grant basis will be designated as the M. D. Anderson Foundation Scholars.

Founded in 1936, the M. D. Anderson Foundation is nationally known for its support of medical research and treatment facilities.

Wine, Women And ...?

When a Michigan movie-goer was charged with allegedly drinking whiskey, insulting women and eating popcorn in the theater, he indignantly protested: "I have never eaten popcorn in my life."

SO HE SAID

"History is bunk." Henry Ford (1863-1947).

Moot Courters Beat 3; Win State Title

Overcoming a grueling schedule as well as teams from three other law schools, the SMU School of Law Moot Court Team took all the marbles for the second successive year in the Moot Court Contest at the 85th Texas Bar convention on July 4 and 5.

Spurning the lure of the numerous hospitality rooms, and responding to the sage tutelage of Professor Harvey Davis, the SMU aggregation of Michael A. Engleman '69, C. Robert Rainwater '69 and G. Leroy Street '70 defeated the South Texas College of Law entry in the Supreme Moot Court of Texas case styled *Schultz Construction Co. v. Jane St. Clair*.

Having argued for petitioner in the morning, the SMU team appeared for the respondent in the afternoon argument and handily defeated the University of Texas School of Law advocates in the semifinal round.

The final round on July 4 found our local trio representing the respondent against a team from St. Mary's University School of Law before a court composed of justices of the Supreme Court of Texas. In a close contest the pony squad took the State Bar trophy for the School's tenth victory in the past sixteen years of competition. Rainwater, who won the award for the best oral argument, will graduate this year; but Engleman and Street will be back next summer for a try at a third straight victory.

All three advocates gave great credit to their "argumentor," Professor Davis.

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ADDRESS CORRECTION REQUESTED

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